

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BERKLEY INSURANCE COMPANY,

Plaintiff,

-v-

MARIE DU-CHASTEL,

Defendant.
-----X

23 Civ. 4793 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Plaintiff Berkley Insurance Company filed the Complaint in this action on June 7, 2023. Dkt. 1. Defendant Marie Du-Chastel was served with the Complaint on June 22, 2023, making her answer due by July 13, 2023. Dkt. 5. To date, Defendant has not appeared in this action.

It is hereby ORDERED that no later than August 8, 2023, Plaintiff shall move for default judgment as to Defendant, in accordance with Local Civil Rule 55.2 and 3.D of the Court's Individual Rules and Practices for Civil Cases, or show cause why this case should not be dismissed for failure to prosecute. Pursuant to this Court's Individual Rules, Plaintiff must serve its motion for default judgment and supporting paperwork on Defendant by August 8, 2023, and must file an Affidavit of Service on ECF by August 10, 2023. Defendant shall file any opposition to the motion for default judgment no later than August 22, 2023. Plaintiff shall file any reply no later than August 29, 2023.

It is further ORDERED that Defendant appear and show cause at a hearing before this Court on September 18, 2023, at 11:00 a.m., why an order should not be issued granting a default judgment against Defendant. That hearing shall take place telephonically. At the scheduled time, counsel for all parties should call (866) 434-5269, access code 9176261. In the event that Defendant

does not appear, Plaintiff's counsel should be prepared to discuss any communications with Defendant or representatives for Defendant regarding their litigation and any intent to challenge the suit, including discussions about the alleged illegal conduct prior to the filing of the lawsuit; how Defendant was served with the Summons and Complaint and this Order; why Plaintiff's counsel is confident that Defendant has been served with those documents and has received notice of the hearing; and the method for calculating damages. In the event that Defendant appears in this action and opposes the motion for default judgment prior to the scheduled court appearance on September 18, 2023 , that court appearance shall also serve as an Initial Case Management Conference pursuant to 5.B of the Court's Individual Rules and Practices in Civil Cases.

It is further ORDERED that Plaintiff serve Defendant via overnight courier with a copy of this Order within one week of the date of this Order. Within two business days of service, Plaintiff must file proof of such service on the docket.

SO ORDERED.

Dated: July 25, 2023
New York, New York



JOHN P. CRONAN
United States District Judge